



STATE OF CALIFORNIA

GAVIN NEWSOM, GOVERNOR **FILED**

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

10/14/22

01:15 PM

A2004023

October 14, 2022

Agenda ID #21044
Ratesetting

TO PARTIES OF RECORD IN APPLICATION 20-04-023 AND
APPLICATION 21-01-004:

This is the proposed decision of Administrative Law Judge Robert Haga. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's November 17, 2022 Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties to the proceeding may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure. Electronic copies of comments should also be sent to the Intervenor Compensation Program at Icompcoordinator@cpuc.ca.gov.

/s/ MICHELLE COOKE

Michelle Cooke

Acting Chief Administrative Law Judge

MLC:sgu

Attachment

Decision **PROPOSED DECISION OF ALJ HAGA** (Mailed 10/14/2022)**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of Pacific Gas and Electric Company for
(1) Administration of Stress Test Methodology Developed Pursuant to Public Utilities Code Section 451.2(b) and
(2) Determination That \$7.5 Billion of 2017 Catastrophic Wildfire Costs and Expenses Are Stress Test Costs That May Be Financed Through Issuance of Recovery Bonds Pursuant to Section 451.2(c) and Section 850 et seq.(U39E).

Application 20-04-023
(Not Consolidated)

In the Matter of the Application of Pacific Gas and Electric Company for Authority to Issue Recovery Bonds for Stress Test Costs Pursuant to Article 5.8 of the California Public Utilities Code. (U39E)

Application 21-01-004
(Not Consolidated)

**DECISION GRANTING COMPENSATION TO WILD TREE
FOUNDATION FOR SUBSTANTIAL CONTRIBUTIONS TO DECISION
(D.) 21-04-030 AND D.21-05-015**

Summary

This decision authorizes an award of intervenor compensation of \$196,621.60 for substantial contributions to Decision (D.) 21-04-030 and D.21-05-015 to Wild Tree Foundation in proceedings Application (A.) 20-04-023

and A.21-01-004. The decision finds that Wild Tree Foundation did not make a substantial contribution to D.21-08-023. Both proceedings remain closed.

1. Background

In Decision (D.) 21-04-030, issued on April 23, 2021, in Application (A.) 20-04-23, the Commission determined that Pacific Gas and Electric Company (PG&E) satisfied the Stress Test Methodology created pursuant to Public Utilities (Pub. Util) Code Section 451.2(b) and that \$7.5 billion of 2017 catastrophic wildfire costs and expenses are Stress Test Costs that may be financed through the issuance of recovery bonds pursuant to Pub. Util. Code §§ 850 et. seq. This decision authorized PG&E to establish a Customer Credit Trust, funded by PG&E shareholders, that will provide a monthly Customer Credit to ratepayers to offset the Fixed Recovery Charge that may be created to pay the costs and expenses of the recovery bonds in order to achieve a ratepayer neutral result.

In D.21-05-015, issued on May 11, 2021, the Commission granted A.21-01-004 filed by PG&E for authority, under Division 1, Part 1, Chapter 4 Article 5.8 of the California Public Utilities Code, to issue \$7.5 billion of Recovery Bonds to fund costs and expenses related to 2017 North Bay Wildfires and other Financing Costs associated with issuing the Bonds.

1.1. Factual Background

Wild Tree Foundation (Wild Tree) was an Intervenor in proceedings A.20-04-023 and A.21-01-004, filing opening briefs, reply briefs, and comments and reply comments on the Scoping Memo and proposed decisions. In D.21-04-030, issued in A.20-04-023, the Commission notes that consideration of the creation of the Fixed Recovery Charge and associated authorization to issue the recovery bonds was discussed in a coordinated proceeding, A.21-01-004. An

ALJ Ruling issued on March 29, 2021, in A.20-04-023, denied a motion filed by PG&E to consolidate the two proceedings, but clarified that the record of A.20-04-023 may be cited and relied upon in A.21-01-004 and the record of A.21-01-004 may be cited and relied upon in A.20-04-023. As these proceedings were closely coordinated, and Wild Tree's claimed substantial contributions to D.21-04-030 and D.21-05-015 overlap, this decision addresses Wild Tree's requests for Intervenor Compensation in A.20-04-023 and A.20-01-004 together.

2. Requirements for Award of Intervenor Compensation

The intervenor compensation program requires California jurisdictional utilities to pay the reasonable costs of an intervenor's participation if the intervenor makes a substantial contribution to the Commission's proceedings.

All the following procedures and criteria must be satisfied for an intervenor to obtain a compensation award:

1. The intervenor must satisfy certain procedural requirements including the filing of a sufficient notice of intent (NOI) to claim compensation within 30 days of the prehearing conference (PHC), or in special circumstances at other appropriate times that we specify. (§ 1804(a).)
2. The intervenor should file and serve a request for a compensation award within 60 days of our final order or decision in a hearing or proceeding. (§ 1804(c).)
3. The intervenor must demonstrate "significant financial hardship." (§§ 1804(b)(1).)
4. The intervenor's presentation must have made a "substantial contribution" to the proceeding, through the adoption, in whole or in part, of the intervenor's contention or recommendations by a Commission order or decision. (§ 1803(a).)

5. The claimed fees and costs must be reasonable (§ 1801), necessary for and related to the substantial contribution (D.98-04-059), comparable to the market rates paid to others with comparable training and experience (§ 1806), and productive (D.98-04-059).

3. Procedural Background

The PHC in A.20-04-023 was held on June 18, 2020, and the PHC in A.21-01-004 was held on February 5, 2021. Wild Tree timely filed NOIs to claim intervenor compensation on July 17, 2020, and March 04, 2021. Wild Tree timely filed intervenor compensation claims on August 27, 2021, and July 08, 2021. No oppositions to the subject intervenor compensation claims have been filed.

3.1. Eligibility

A ruling on Wild Tree's NOI was issued in D.20-06-051 on June 29, 2020, affirming Wild Tree's eligibility to claim intervenor compensation. That decision was issued within one year of the of the commencement of A.20-04-023 and A.21-01-004, therefore Wild Tree has rebuttable presumption of eligibility in this proceeding pursuant to Pub. Util. Code § 1804(b)(1).

3.2. Timeliness

Wild Tree filed a motion to accept late filing of their IComp claim in A.20-04-023 on June 23, 2021. The Commission issued D.21-08-023 on August 11, 2021, denying an application for rehearing. Wild Tree then submitted its updated intervenor compensation claim on August 27, 2021, 16 days after the issuance of D.21-08-023. Wild Tree submitted its A.21-01-004 intervenor compensation claim on July 8, 2021, which was 58 days after the issuance of D.21-05-015 on May 11, 2021.

Pub. Util. Code § 1804(c) requires that intervenors must file their claims within 60 days of the issuance of a final order or decision by the Commission. According to Rule 17.3 of the Rules of Practice and Procedure, if an application

for rehearing challenges a decision on an issue on which the intervenor believes it made a substantial contribution, the request for an award of compensation may be filed within 60 days of the issuance of the decision denying rehearing on that issue. D.21-08-023 denied an application for rehearing filed by Wild Tree and The Utility Reform Network (TURN). Wild Tree's requests for compensation meet the standards since they were filed within 60 days of the issuance of D.21-08-023 and D.21-05-015.

4. Substantial Contribution

In evaluating whether a customer made a substantial contribution to a proceeding we look at several things. First, did the ALJ or Commission adopt one or more of the factual or legal contentions, or specific policy or procedural recommendations put forward by the customer? (*See* § 1802(j).) Second, if the customer's contentions or recommendations paralleled those of another party, did the customer's participation materially supplement, complement, or contribute to the presentation of the other party or to the development of a fuller record that assisted the Commission in making its decision? (*See* §§ 1801.3(f) and 1802.5.) As described in § 1802(j), the assessment of whether the customer made a substantial contribution requires the exercise of judgment.

In assessing whether the customer meets this standard, the Commission typically reviews the record, composed in part of pleadings of the customer and, in litigated matters, the hearing transcripts, and compares it to the findings, conclusions, and orders in the decision to which the customer asserts it contributed. It is then a matter of judgment as to whether the customer's presentation substantially assisted the Commission.¹

¹ D.98-04-059, 79 CPUC2d 628 at 653.

Should the Commission not adopt any of the customer's recommendations, compensation may be awarded if, in the judgment of the Commission, the customer's participation substantially contributed to the decision or order. For example, if a customer provided a unique perspective that enriched the Commission's deliberations and the record, the Commission could find that the customer made a substantial contribution.

Pub. Util. Code § 1801.3(f) requires an intervenor to avoid unnecessary participation that duplicates similar interests that are adequately represented by another party, or unnecessary for a fair determination of the proceeding. Pub. Util. Code § 1802.5, however, allows an intervenor to be eligible for full compensation if its participation materially supplements, complements, or contributes to that of another party if the latter makes a substantial contribution to the Commission order.

Based on the record in these proceedings, we find that some of the contributions of Wild Tree substantially contributed, as described herein, to D.21-04-030 and D.21-05-015. Additionally, we find that Wild Tree took appropriate steps to avoid unnecessary or duplicative participation such that their claims are eligible for compensation.

5. Reasonableness of Requested Compensation

Wild Tree requests \$246,363.71 for contribution to D.21-04-030 and \$83,250.43 for contribution to D.21-05-015.

In general, the components of each request must constitute reasonable fees and costs of the intervenor's preparation for and participation in a proceeding that resulted in a substantial contribution. The Commission has reviewed the claims submitted by Wild Tree, and finds that, with some adjustments and exceptions discussed in Section 5.1. and 5.2 below, the claims are reasonable.

Appendices A and B to this decision addresses each of the intervenor's claims, the Commission's determinations regarding their reasonableness, and the Commission's adjustments to the requested awards. We provide additional discussion regarding the adjustments to the claims here.

6. D.21-04-030 CPUC Disallowance

Wild Tree's claimed contribution to issue area 1, *Stress Test Eligibility*, is verified, in part. Wild Tree described its claimed contribution in Part II.A of its intervenor compensation claim; "Wild Tree Foundation provided substantial policy and legal analysis regarding whether \$7.5 billion of the wildfire claims costs are attributable to the 2017 North Bay Wildfires and are thus eligible for recovery under the Stress Test. See Comment #1 on partial contributions." The Commission states in D.21-04-030, "Wild Tree presents no evidence that the amount of eligible 2017 claims is anything other than the \$11.2 billion figure proffered by PG&E. Based on the record we are persuaded that PG&E's estimations of its 2017 wildfire costs are sufficient when considered in conjunction with the holistic Customer Credit Trust proposal." The Commission found that PG&E does not have to provide the level of detail Wild Tree seeks, as the detail it did provide was sufficient to justify the costs claimed. Wild Tree's failure to present more than an allegation of ineligibility negates the value of its contribution in this area. While the Commission did articulate our finding more clearly to ensure the allegations were addressed, the issue was already included within the scope of the proceeding and Wild Tree's restatement of the issue did not contribute to its resolution. Wild Tree does not meet all the substantial contribution standards of Section 1802(j) or Section 1802.5 for issue 1. Accordingly, we disallow 50% percent of the hours claimed on issue 1.

Wild Tree submitted ten timesheet entries for its consultant Aaron Rothschild between October 5, 2020, and October 14, 2020. The timesheet entries are all titled “Prepare Direct Testimony” and account for 78 hours in total. We find the hours claimed to be excessive for the 30 pages of double-spaced testimony produced. Rothschild’s 2020 hours are reduced by 18 hours.

We make hourly rate adjustments for Maurath Sommer and Rothschild and adjust hours awarded for Maurath Sommer and Friedman to match time records provided.

We note that Wild Tree split the majority of recorded time entries for Friedman and Maurath Sommer evenly across almost every issue area. We remind Wild Tree that time records must be associated with the proceeding’s substantive issues, and that we would expect dates for work completed to align with the timeline of issues raised during the proceeding. We elect not to make a reduction for this practice at this time but may issue disallowances in future IComp claims if the practice persists.

7. D.21-05-015 CPUC Disallowance

Wild Tree’s claimed contribution to issue area 1, *Minimizing Rate Payer Costs/ Motion to Dismiss*, is not verified. To support their claim of substantial contribution, Wild Tree argues, “Wild Tree Foundation provided substantial policy and legal analysis regarding interpretation of Public Utilities Code section 850.1 minimization of ratepayer costs requirement. The PD was amended in response to Wild Tree’s comments to add discussion on this point.” Wild Tree’s argument was rejected in D.21-05-015 on page 18 as follows: “We reject arguments put forth by intervenors (*see, e.g.*, TURN Opening Comments at 3-4, Wild Tree Opening Comments at 6-7) that would have us reject all Section 451.2 costs pursuant to Section 850.1(a)(1)(A)(ii)(III). Intervenors erroneous

interpretation of the statute fails to parse the statutory language with respect to utility financing mechanisms. Further, we have interpreted the statutory provisions here in the same manner we did in the SCE Securitization Decision, D.20-11-007 at 43 and n.28” (D.21-05-015 at p. 27n22, section 3.4.)”. The Commission has determined that PG&E may apply to securitize these costs on additional occasions in D.20-05-053 at 75, D.21-04-030 at 20, 84-85 (FOF 6 and 11). Wild Tree does not meet the substantial contribution standards of Section 1802(j) or Section 1802.5 for issue 1. Accordingly, we disallow 90% percent of the hours claimed on *Minimizing Rate Payer Costs* within issue 1.

We make hourly rate adjustments for Maurath Sommer and Rothschild and adjust hours awarded for Maurath Sommer and Friedman to match time records provided.

We note that Wild Tree split the majority of recorded time entries for Freidman and Maurath Sommer evenly across almost every issue area We remind Wild Tree that time records must be associated with the proceeding’s substantive issues, and that we would expect dates for work completed to align with the timeline of issues raised during the proceeding. We elect not to make a reduction for this practice at this time but may issue disallowances in future IComp claims if the practice persists.

8. Award

We award Wild Tree Foundation \$196,621.60 for their substantial contributions to D.21-04-030 and D.21-05-015.

9. Comments on Proposed Decision

The proposed decision of ALJ Haga in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission’s Rules of Practice and

Procedure. Comments were filed on _____, and reply comments were filed on _____ by _____.

10. Assignment of Proceeding

Alice Reynolds is the assigned Commissioner and Robert Haga is the assigned ALJ in these proceedings.

Findings of Fact

1. Wild Tree Foundation has satisfied all the procedural requirements necessary to claim compensation in this proceeding.
2. Wild Tree Foundation made substantial contributions to D.21-04-030 and D.21-05-015 as described herein.
3. The total reasonable compensation as adjusted herein is \$196,621.60 (\$166,224.00 and \$30,397.60).
4. Appendix A and B to this decision summarizes today's award.

Conclusions of Law

1. Wild Tree Foundation has fulfilled the requirements of Pub. Util. Code § 1803-1808 and are entitled to intervenor compensation for their substantial contributions to D.21-04-030 and D.21-05-015.
2. Wild Tree Foundation should be awarded \$166,224.00 for its contributions to D.21-04-030 and \$30,397.60 for its contributions to D.21-05-015.
3. This order should be effective today.
4. The proceedings should remain closed.

O R D E R

IT IS ORDERED that:

1. Wild Tree Foundation is awarded \$166,224.00 as compensation for its substantial contribution to Decision 21-04-030.

2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company shall pay Wild Tree Foundation the total award. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning November 10, 2021, the 75th day after the filing of Wild Tree's request, and continuing until full payment is made.

3. Wild Tree Foundation is awarded \$30,397.60 as compensation for its substantial contribution to Decision 21-05-015.

4. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company shall pay Wild Tree Foundation the total award. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning September 21, 2021, the 75th day after the filing of Wild Tree Foundation's request, and continuing until full payment is made.

This order is effective today.

Dated _____, at San Francisco, California.

APPENDIX A**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of Pacific Gas and Electric Company for (1) Administration of Stress Test Methodology Developed Pursuant to Public Utilities Code Section 451.2(b) and (2) Determination That \$7.5 Billion of 2017 Catastrophic Wildfire Costs and Expenses Are Stress Test Costs That May Be Financed Through Issuance of Recovery Bonds Pursuant to Section 451.2(c) and Section 850 et seq.(U39E)	Application 20-04-023 (Filed April 30, 2020)
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**DECISION GRANTING COMPENSATION TO WILD TREE FOUNDATION FOR
SUBSTANTIAL CONTRIBUTION TO DECISION 21-04-030**

Intervenor: Wild Tree Foundation	For contribution to Decision (D.) 21-04-030
Claimed: \$246,363.71	Awarded: \$166,224.00
Assigned Commissioner: Alice Reynolds ¹	Assigned ALJ: Robert Haga

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	In D.21-04-030, the Commission determined that Pacific Gas & Electric Company (PG&E) satisfies the Stress Test Methodology created pursuant to Public Utilities Code Section 451.2(b) and that \$7.5 billion of 2017 catastrophic wildfire costs and expenses are Stress Test Costs that may be financed through the issuance of recovery bonds pursuant to Public Utilities Code Sections 850 et. seq.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812²:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	6/18/2020	Verified

¹ This proceeding was reassigned to President Alice Reynolds on May 5, 2022.

² All statutory references are to California Public Utilities Code unless indicated otherwise.

2. Other specified date for NOI:	n/a	
3. Date NOI filed:	7/17/2020	Verified
4. Was the NOI timely filed?		Yes
Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4):		
5. Based on ALJ ruling issued in proceeding number:	R.19-01-011	R.19-01-006
6. Date of ALJ ruling:	2/18/2021 D.21-02-021	6/29/2020
7. Based on another CPUC determination (specify):	n/a	D.20-06-051
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	R.19-01-011	R.19-01-006
10. Date of ALJ ruling:	2/18/2021 D.21-02-021	6/29/2020
11. Based on another CPUC determination (specify):	n/a	D.20-06-051
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.21-04-030/ D.21-08-023	D.21-08-023
14. Date of issuance of Final Order or Decision:	4/23/2021 / 8/12/2021	8/12/2021
15. File date of compensation request:	8/27/2021	Verified
16. Was the request for compensation timely?		Yes. According to Rule 17.3 of the Rules of Practice and Procedure, if an application for rehearing challenges a decision on an issue on which the intervenor believes it made a substantial contribution, the request for an award

	of compensation may be filed within 60 days of the issuance of the decision denying rehearing on that issue.
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C. Additional Comments on Part I:

#	Intervenor's Comment(s)	CPUC Discussion
7.	<p>The Wild Tree Foundation (Wild Tree) is a non-profit, 501(c)(3) tax exempt corporation registered with the State of California that advocates for the protection of the environment, climate, and wildlife. Wild Tree is eligible for intervenor compensation based upon rebuttable presumption of eligibility pursuant to D.21-02-021 and because it has previously met and continues to meet the Commission's long-standing definitions of eligibility. Wild Tree meets the definition of a Category 3 customer under the Public Utilities Code section 1802(b)(1)(C) as "representative of a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential customers..." Article 3, Section 3.3 of Wild Tree's Bylaws specifically authorizes the organization to represent the interests of residential ratepayers and seek intervenor compensation for doing so. A copy of Wild Tree's bylaws was submitted with its NOI. Wild Tree represents the interests of residential ratepayers (100 percent) and not small commercial customers receiving bundled electric service from an electrical corporation. Wild Tree also qualifies as a Category 3 customer as</p>	<p>Verified. An ALJ ruling on Wild Tree's NOI was included in D.20-06-051.</p>

	<p>an environmental group that represents residential customers with concerns for the environment. (See D.98-04-059, footnote at 30.) The Commission has explained that, “With respect to environmental groups, we have concluded they were eligible [for intervenor compensation] in the past with the understanding that they represent customers . . . who have a concern for the environment which distinguishes their interests from the interests represented by Commission staff, for example.” (D.88-04-066.) Wild Tree is such an environmental group because it represents customers with a concern for the environment that is different from other interests in this proceeding.</p>	
11.	<p>Wild Tree is eligible for intervenor compensation based upon rebuttable presumption of eligibility pursuant to D.21-02-021 and because it has previously met and continues to meet the Commission’s long-standing definitions of eligibility. Participation in this proceeding without intervenor compensation would pose a substantial financial hardship for Wild Tree because the economic interest of the residential ratepayers Wild Tree represents is small in comparison to the costs of Wild Tree’s effective participation. (See Pub. Util. Code § 1802, subd. (h)).</p> <p>The total sum that this proceeding – over \$7.5 billion - is large, for any individual residential ratepayer that Wild Tree represents. The costs of participating individually thus would far outweigh the individual impacts of the outcome of this proceeding. Wild Tree has shown significant financial</p>	Noted

	hardship and should be allowed to recover its costs in this proceeding.	
14. 15.	Wild Tree initially filed its intervenor compensation claim for substantial contributions to D.21-04-030 on June 22, 2021 but, due to inadvertence and mistake, did not properly file all required documents although all required documents were served. On June 23, 2021, Wild Tree filed a Motion to Accept Late Filing of Intervenor Compensation Claim to correctly file the claim. As of the date of the filing of this claim, that motion has not been ruled on. Pursuant to Commission's Rules of Practice and Procedure, Rule 17.3, this claim is timely filed within 60 days of the issuance of a Commission decision (D.21-08-023) denying an application for rehearing that challenged D.21-04-030 on issues on which Wild Tree made a substantial contribution and which closed the proceeding.	Noted

PART II: SUBSTANTIAL CONTRIBUTION

A. Did the Intervenor substantially contribute to the final decision (*see* § 1802(j), § 1803(a), 1803.1(a) and D.98-04-059):

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p><i>Wild Tree Proposed Alternative for Continued CCT Oversight</i></p> <p>Wild Tree proposed in its testimony and legal briefs that the Commission retain oversight over the CCT and</p>	<p>"Intervenors have shown that in a small and narrow subset of circumstances (described by PG&E as a near zero risk in the near term and quantified by PG&E as a \$20-30 million risk), rate neutrality may not be achieved if the Commission waives its existing regulatory authority and as such we</p>	<p>Verified</p>

<p>conduct an independent, future review in the case of a CCT deficit. PG&E stated that its modified proposal was in response to issues raised by the parties and ALJ and in its description of its modified proposal stated that it “could accept a single review of the sufficiency of the Customer Credit Trust in 2040.”</p> <p>“Should the Commission nonetheless decide to approve PG&E’s securitization application, I recommend the following modifications . . . Trust management should be required to notify the Commission in the event of a deficit or shortfall. Once notified, the Commission will conduct an independent review at that time to determine whether and how much PG&E shareholders should be required to contribute to the Trust so as to meet the requirements of ratepayer neutrality and to ensure that ratepayers not pay for the costs of the 2017 fires.” (Direct Testimony Of Aaron L. Rothschild On Behalf Of Wild Tree Foundation at pp. 4-5; see also Wild Tree Foundation Opening Brief at p. 7, 37 (“Proposed Alternative”).</p> <p>“PG&E has proposed a modified version of Wild Tree’s proposal in its Opening Brief, stating that “PG&E could accept a single review of the sufficiency of the Customer</p>	<p>have addressed such concerns as described further herein in Section 4.4.” (Decision at p. 18.)</p> <p>“PG&E proposed modifications to its proposed structure, including . . . Agreeing that the Commission may open a proceeding in 2040 that could result in direction to PG&E to make up to \$775 million of additional contributions . . . PG&E states these modifications are logical outgrowths of issues raised at the evidentiary hearing. We agree that PG&E’s modifications address and are logical extensions of its original proposals and are grounded in the record, with the exceptions noted below.” (Decision at pp. 61-62.)</p> <p>“PG&E proposed modifications sought to apply the concept of a subsequent proceeding as a way to address a basic concern that underlies parties’ challenges to PG&E’s assertions of rate neutrality. As discussed below there are real benefits to adopting PG&E’s structure, but the long-term duration of the structure has inherent risk. Therefore, rather than continue to seek to adjust the proposal in an attempt to eliminate all risks that, structurally, will always remain, we conclude that the potential benefits are broad enough and the potential risk is narrow enough at this point to approve PG&E’s proposal with a modified version of the subsequent proceeding that preserves the ability to consider ratemaking and other proposals in the unlikely event the conditions described above occur. We view these conditions as necessary to ensure rate neutrality.” (Decision at pp. 71-72.)</p>	<p>Opening Brief filed on January 19, 2021</p>
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<p>Credit Trust in 2040.” (PG&E Opening Brief at p. 158.) PG&E thus indicates some level of acceptance of Wild Tree’s proposal that the Commission conduct a future review to determine need for additional shareholder contributions.” (Wild Tree Foundation Reply Brief at p. 11.)</p>		<p>Reply Brief filed on January 29, 2021</p>
<p><i>Costs Eligible for Stress Test</i></p> <p>Wild Tree Foundation provided substantial policy and legal analysis regarding whether \$7.5 billion of the wildfire claims costs are attributable to the 2017 North Bay Wildfires and are thus eligible for recovery under the Stress Test. See Comment #1 on partial contributions.</p>	<p>“We do not need to go as far as Wild Tree’s suggestion to require PG&E show each individual 2017 wildfire claim to justify the costs attributable to the 2017 North Bay Wildfires. PG&E presented a reasonable allocation of the more than \$25 billion in settled wildfire liabilities (including victims and insurance subrogation claims) to determine the 2017 figure of \$11.2 billion. This far exceeds the \$7.5 billion amount PG&E proposed be securitized and Wild Tree presents no evidence that the amount of eligible 2017 claims is anything other than the \$11.2 billion figure proffered by PG&E. Based on the record we are persuaded that PG&E’s estimations of its 2017 wildfire costs are sufficient when considered in conjunction with the holistic Customer Credit Trust proposal. It is reasonable to determine PG&E’s 2017 wildfire claims costs based on the allocation of value of the Fire Victim Trust settlement. There is no reasonable dispute that costs and expenses incurred by PG&E related to the Tubbs Fire are eligible under the statutes, and we do not agree with Wild Tree that a collateral challenge to the Fire Victim Settlement is in the public interest. We also find no merit to Wild Tree’s argument that interest on debt incurred to pay wildfire claims cannot be included in the determination of costs</p>	<p>Verified, in part. The Commission states in D.21-04-030, “Wild Tree presents no evidence that the amount of eligible 2017 claims is anything other than the \$11.2 billion figure proffered by PG&E. Based on the record we are persuaded that PG&E’s estimations of its 2017 wildfire costs are sufficient when considered in conjunction with the holistic Customer Credit Trust proposal”</p> <p><i>See CPUC Discussion in Part III.D[6]</i></p> <p>Wild Tree Opening Brief filed on January 19, 2021 at 17</p>

	<p>eligible for recovery under the Stress Test. Section 451.2(a) is clear that we are addressing “costs and expenses arising from, or incurred as a result of, a catastrophic wildfire....”PG&E can, and has, shown that it has paid more than \$7.5 billion to pay 2017 wildfire liability claims and that the \$6 billion in temporary debt directly contributed to that payment.</p> <p>Therefore, we are persuaded that at least \$7.5 billion of the wildfire claims costs paid as part of PG&E’s Reorganization Plan are attributable to the 2017 North Bay Wildfires and are thus eligible for recovery under the Stress Test via a rate neutral securitization as proposed by PG&E.” (Decision at pp. 40-41.)</p>	
<p><i>Financing Order</i></p> <p>Wild Tree Foundation provided substantial testimony, and legal and policy analysis regarding the issuance of a financing order in this proceeding. Wild Tree developed the evidentiary record on financing order issues in this proceeding as directed in the Scoping Memo and March 29, 2021 Administrative Law Judge Ruling Denying Motion to Consolidate and Incorporating Records.</p> <p>Because the Commission ordered that the evidentiary record developed in A.20-04-023 be incorporated into A.21-01-004 to the extent that it has a bearing on issues in A.21-01-004 and because the Commission relied upon Wild</p>	<p>In D.21-01-004, the Commission stated that the scoped issue of “Should the Commission Issue a Financing Order Under Sections 850 <i>et. seq.</i>?” would be addressed in A.21-01-004. (Decision at p. 80.)</p> <p>In A.21-01-004, the Commission issued D. 21-05-015. The Scoping Memo, Administrative Law Judge Ruling Denying Motion to Consolidate and Incorporating Records, D.21-01-004, and D.21-05-015 make it clear that there is unique overlap between the two proceeding and decisions. A.21-01-004 is described in D.21-04-030, as “a coordinated proceeding” (Decision at p. 2) and the Commission deferred determinations regarding the financing order to D.21-05-015, stating “the financing order issues originally identified in A.20-04-023 are being resolved now in A.21-01-004.” (D.21-01-004 at p. 9.)</p>	<p>Verified</p> <p>The Scoping Memo issued on July 28, 2020, in A.20-04-023 at page 6 includes the financing order application as an issue this proceeding seeks to address.</p> <p>ALJ Ruling issued on March 29, 2021, at page 2, clarifies that the record of A.21-01-004 may be cited and relied upon in A.20-04-023.</p>

<p>Tree’s testimony and legal briefing developed in this proceeding in D.21-05-015, Wild Tree should be granted compensation in this proceeding for its work completed in this proceeding regarding the financing order. It should be noted that Wild Tree is not attempting to be compensated for its work in this proceeding twice. Wild Tree is not requesting here any compensation for work done on A.21-01-004 but only for work done on A.20-04-023 that made a substantial contribution to A.21-01-004 on issues that were scoped as part of A.20-04-23 but were later deferred to A.21-01-004. Wild Tree did not request compensation for any work done in A.20-04-023 in its request filed in A.21-01-004.</p> <p>“While it is likely that securitization financing will result in lower rates than would occur from traditional financing, there is no reason for consumers to pay anything more for a bond issue than is necessary. With a statutory requirement to “reduce, to the maximum extent possible, the rates on a present value basis”, the emphasis is on eliminating waste and inefficiency instead of accepting it because the interest rate and fees are in a range of so-called “reasonableness.” Ratepayer costs are at financial risk throughout the financing</p>	<p>In D.21-05-015, the Commission explains that “As a basis for our adoption of this Financing Order, we have coordinated with and relied upon findings in A.20-04-023 . . .” (D.21-05-015 at p. 3.) The coordination and reliance between the two proceedings means that work done in A.20-04-023 was relied upon in A.21-01-004: “The Assigned Commissioner’s Scoping Memo ruled that although this proceeding is not consolidated with A.20-04-023, the evidentiary record developed in A.20-04-023 is incorporated to the extent that it has a bearing on issues in A.21-01-004, and that parties may rely upon such record for purposes of the instant proceeding.” (D.21-05-015 at p. 10.)</p> <p>The Commission relied upon Wild Tree’s work in A.20-04-023 in D.21-05-015: “We agree with TURN and Wild Tree that a Financing Team should be implemented for purposes of overseeing the Recovery Bond issuance process. . . In approving a Finance Team, we have considered the arguments of parties in this regard. In particular, Wild Tree and TURN claim that PG&E’s underwriter does not have a vested interest in maximally reducing the Recovery Bond’s interest rate, that the Commission would only be provided notice of the details of the process but not be engaged in the process, and that PG&E is proposing a process that would not be in keeping with Commission past practice. In any event, PG&E agrees that its proposal does not preclude the creation of a Finance Team, and PG&E has no objection to a Finance Team if the Commission determines that one should be established. Commission precedent for authorizing the use of such</p>	
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<p>process and need specific protections that can best be provided by a financing team, pre-issuance review process.” (Direct Testimony Of Aaron L. Rothschild On Behalf Of Wild Tree Foundation at p. 27, with extended analysis at pp. 15-27 (“Structuring, Marketing, And Pricing Of Securitized Bond”).)</p> <p>“PG&E’s proposed financing order ignores the requirements of Code as interpreted in recent and long-standing Commission precedent that a pre-issuance finance team review process to is necessary determine the structure, marketing and pricing of securitized bonds. Although PG&E states in its rebuttal testimony that “if requested, PG&E will work with the Commission, including a financing team set up by the Commission, if any, throughout the structuring and pricing process to ensure timely final approval of the Recovery Bond transaction”³ its proposed financing order inexplicably does not include a finance team review process. If the Commission issues a financing order in this proceeding, it must establish continuing Commission oversight over the material terms of the recovery bond. There is no other way that PG&E can demonstrate that the requirements of sections 850 et seq. can be met in this</p>	<p>a Finance Team exists.” (D.21-05-015 at pp. 23-24.)</p>	<p>Verified</p>
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³ PGE-13 at p. 3-2:2.

<p>proceeding. This can be accomplished by including language in the financing order that sets-up a financing team composed of the utility, Commission and its staff, and any necessary outside financial and legal experts that will provide approvals of the material terms of the bond in a pre-issuance review process to create a bond with material terms that can meet the statutory requirements, in particular, minimization of ratepayer cost.” (Wild Tree Foundation Opening Brief at pp. 38-39, with extended analysis at pp. 38-50.)</p>		
<p><i>Decrease in ratepayer surplus share</i></p> <p>“PG&E’s Opening Brief proposal to “share” with ratepayers now just 10% of any CCT surplus is ridiculous and should be denied. PG&E’s attempt to whittle away ratepayers “share” to just 10% makes this proposed ratepayer protection measure even more ineffective that as proposed in the Application.” (Wild Tree Foundation Reply Brief at p. 17.)</p>	<p>“In addition, PG&E argues that the modifications it proposes to its structure would “substantially reduce customer risk” and thus the 25 percent sharing with customers of the potential surplus at the conclusion of the Customer Credit Trust should also be modified to a 10 percent sharing with customers. We disagree. The modifications PG&E has made address areas of concern identified during this proceeding, and do not alter the basic transaction, which allows PG&E to securitize a significant expense and obtain value from the federal NOLs in 2021. While PG&E’s proposed modifications reduce the risk to a reasonable level, they do not eliminate all risks. A reasonable level of risk was the premise of PG&E’s original proposal where it proposed 25 percent of the potential surplus be assigned to ratepayers. A 25 percent allocation of any potential surplus fairly compensates ratepayers for taking on downside risk during the 30-year period. PG&E’s</p>	<p>Verified</p>

	rationale to reduce the surplus sharing percent based on the ratio of expected value of the negative outcomes resulting from its proposed modifications is not persuasive.” (Decision at pp. 63-64.)	
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B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor’s Assertion	CPUC Discussion
a. Was the Public Advocate’s Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?⁴	yes	Verified
b. Were there other parties to the proceeding with positions similar to yours?	yes	Noted
c. If so, provide name of other parties: Alliance for Nuclear Responsibility (A4NR), California Large Energy Consumers Association (CLECA), The Utility Reform Network (TURN), City and County of San Francisco (CCSF), and Energy Producers and Users Coalition (EPUC), Agricultural Energy Consumers Association (AECA)		Noted
d. Intervenor’s claim of non-duplication: While A4NR, CLECA, TURN, CCSF, EPUC shared the general position with Wild Tree that the Application should be denied, the parties focuses diverged and thus commonly held positions were not duplicated so as to dilute the contributions of any of the parties in opposition to the application. Wild Tree took care to not repeat arguments that were the focus of other parties’ advocacy and parties communicated throughout the proceeding about positions. For example, Wild Tree did not repeat but indicated support for arguments made by other parties regarding claimed credit rating improvements and reliance upon NOLs for additional contributions. At the same time, Wild Tree advanced arguments that made a substantial contribution to the decision that were not substantially addressed by other parties such as proposing continued Commission oversight of the CCT to address potential future deficit and arguing that PG&E did not demonstrate that \$7.5 billion was eligible for the stress test. Ultimately, Wild Tree’s work was complementary, and not overly duplicative of other parties.		Noted

C. Additional Comments on Part II:

⁴ The Office of Ratepayer Advocates was renamed the Public Advocate’s Office of the Public Utilities Commission pursuant to Senate Bill No. 854, which the Governor approved on June 27, 2018.

#	Intervenor's Comment	CPUC Discussion
1	<p><i>Partial Contributions</i></p> <p>Pub. Util. Code § 1802 defines substantial contribution, for the purposes of intervenor compensation awards, to include partial contributions:</p> <p>“‘Substantial contribution’ means that, in the judgment of the commission, the customer's presentation has substantially assisted the commission in the making of its order or decision because the order or decision has adopted in whole or in part one or more factual contentions, legal contentions, or specific policy or procedural recommendations presented by the customer. Where the customer's participation has resulted in a substantial contribution, even if the decision adopts that customer's contention or recommendations only in part, the commission may award the customer compensation for all reasonable advocate's fees, reasonable expert fees, and other reasonable costs incurred by the customer in preparing or presenting that contention or recommendation.”</p> <p>The Commission has interpreted “in part” to include granting intervenor compensation to a party that made a substantial contribution in a multi-issue proceeding although the party did not prevail on some of the issues (See D.98-04-028; D.98-08-016; D.00-02-008) or even all issues (See D.20-11-010). “The</p>	Noted

<p>Commission has provided compensation even when the position advanced by the intervenor is rejected. (D.89-03-96 (awarding San Luis Obispo Mothers For Peace and Rochelle Becker compensation in Diablo Canyon Rate Case because their arguments, while ultimately unsuccessful, forced the utility to thoroughly document the safety issues involved).” (D.02-03-035 at p. 3 (Where the Commission granted TURN its intervenor compensation request in full following the withdrawn of the application in response to subsequent legislation.))</p> <p>The Commission has recognized that it “may benefit from an intervenor’s participation even where the Commission did not adopt any of the intervenor’s positions or recommendations.” (D.08-04-004 at p. 5-6, see also D.09-04-027 (Commission awarded intervenor compensation to TURN even on issues where TURN did not prevail, as TURN’s efforts “contributed to the inclusion of these issues in the Commission’s deliberation” and caused the Commission to “add more discussion on the issue, in part to address TURN’s comments.”))</p> <p>In this proceeding, the Commission adopted findings and conclusions consistent with Wild Tree’s position that it should retain oversight over the CCT to allow for future review of any future CCT deficit and that a pre-issuance financing team review is</p>	
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	<p>required. Even though the Commission rejected other policy recommendations and legal contentions put forth by Wild Tree, Wild Tree's participation was the basis for discussion in the Decision on critical issues and thus Wild Tree "substantially assisted the commission in the making of its order or decision" (Pub. Util. Code § 1802(h)) by contributing to the inclusion of these issues in the Commission's deliberation. (D.09-04-027.)</p> <p>Pursuant to Commission precedent, Wild Tree should be granted compensation for all of Wild Tree's time and expenses in this proceeding for its substantial contribution to the proceeding.</p>	
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PART III: REASONABLENESS OF REQUESTED COMPENSATION

A. General Claim of Reasonableness (§ 1801 and § 1806):

	CPUC Discussion
<p>a. Intervenor's claim of cost reasonableness:</p> <p>Wild Tree's advocacy contributed to a decision that will have an impact on ratepayers in that its advocacy contributed to improving a decision that approves a \$7.5 billion securitization. The resources Wild Tree expended in its advocacy are minimal relative to the resulting impacts and Wild Tree's costs are reasonable in light of the amount of time, resources, and effort Wild Tree put into the proceeding as a party.</p>	Noted
<p>b. Reasonableness of hours claimed:</p> <p>Wild Tree spent a reasonable and prudent amount of time on this matter, working diligently to address highly complex and complicated issues in an efficient and expedient manner. An in-house attorney, experienced in practice before the Commission, drafted all filings for Wild Tree with the assistance of a law clerk and advice of an experienced expert thereby leveraging many years of experience and expertise while limiting its costs.</p>	Noted

Due to the multi-faceted nature of this proceeding, a typical law firm would have expended significantly more resources than that spent by Wild Tree.		
c. Allocation of hours by issue:		<p>Noted</p> <p>For the majority of work completed by Friedman and Maurath Sommer, time records are divided among almost every issue almost every entry. See CPUC Discussion in Part III.D[8].</p>
Issue Descriptions	Allocation	
1: Stress Test Eligibility	13%	
2: Recovery costs amount eligible	6%	
3: Ratepayer neutrality	18%	
4: Alternatives to Application	21%	
5: Financing Order	37%	
G: General preparation, case coordination, procedural matters.	5%	

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
April Maurath Sommer	2020	135.69	\$400	D.21-02-021	\$54,276.00	121.12 [6, 7, 8]	\$400 [1]	\$48,448.00
April Maurath Sommer	2021	116.01	\$673.25	ALJ-393 2021 Hourly Rate Chart for Legal Director, Level III, 5-10 years' experience See Comment A below.	\$78,103.73	101.98 [6, 8]	\$525 [1]	\$53,539.50

Marcus Friedman	2020	14.11	\$150	See Comment B below.	\$2,116.50	9.9 [6,7,8]	\$150 [2]	\$1,584.00
Aaron Rothschild	2020	172.00	\$465	Res. ALJ-387, <i>Table 2 Hourly Rates, Experts, 13+ year experience.</i> See Comment C below.	\$79,980.00	154 [4]	\$330 [3]	\$50,820.00
Aaron Rothschild	2021	38.00	\$750.56	ALJ-393 <i>Hourly Rate Chart for Expert for Top Economic Executive, Level III – 5-10 years experience.</i> See Comment D below.	\$28,521.28	31.25 [6]	\$370 [3]	\$11,562.50
Subtotal: \$ 242,997.51						Subtotal: \$165,954.00		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
April Maurath Sommer	2020					1.35 [7]	\$200	\$270.00
April Maurath Sommer	2021	10	\$336.62	½ (\$673.25) per ALJ-393 2021 <i>Hourly Rate Chart for Legal Director, Level III, 5-10 years'</i>	\$3,366.20	0 [5]	N/A	\$0.00

				experience. See Comment A below.				
Subtotal: \$3,366.20						Subtotal: \$270.00		
TOTAL REQUEST: \$ 246,363.71						TOTAL AWARD: \$166,224.00		
<p>*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer’s normal hourly rate</p>								
ATTORNEY INFORMATION								
Attorney		Date Admitted to CA BAR ⁵		Member Number		Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation		
April Maurath Sommer		2008		257967		no		

C. Attachments Documenting Specific Claim and Comments on Part III: (attachments not attached to final decision)

Attachment or Comment #	Description/Comment
Attachment 1	Certificate of Service
Attachment 2	Timesheets
Attachment 3	April Maurath Sommer Bio and Resume
Attachment 4	Marcus Friedman Bio and Resume
Attachment 5	Aaron Rothschild Bio and Resume
Comment A	2021 market rate for legal director April Maurath Sommer: The attached bio and resume demonstrates that April Maurath Sommer has more than 12 years' experience directly relevant to the work performed by attorneys before this Commission, more than 7 years' experience specifically practicing

⁵ This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

	<p>before the Commission, and more than 6 years' experience as a legal director for intervenors before the Commission. The upper end of the Res. ALJ-393 <i>2021 Hourly Rate Chart for Legal Director, Level III, 5-10 years' experience</i> of \$673.25 is an appropriate 2021 market rate for Ms. Maurath Sommer given her experience in energy, utility, environmental, and administrative law; practice before the Commission; and experience as a legal director for intervenors before this Commission. For comparison, should April Maurath Sommer recover under the attorney category, which requires less responsibility, experience, and skills than the work she performs as a legal director, a reasonable market rate for 10-15 years' experience would be \$619.29. See Attachment 3 for Ms. Maurath Sommer's bio and resume.</p>
Comment B	<p>2020 market rate for law clerk Marcus Friedman.</p> <p>\$150 is an appropriate rate for a law clerk with experience working in energy, environmental, and administrative law pursuant to average rate for law clerk awarded as recorded in the <i>Hourly Rate Table (Pre-2021 Adopted Rates)</i>. See Attachment 4 for Marcus Friedman's bio and resume.</p>
Comment C	<p>2020 market rate for top financial and economic expert Aaron Rothschild:</p> <p>The attached bio and resume demonstrate that Aaron Rothschild has more than 20 years' experience directly relevant to the work performed in this proceeding and that at least \$465, the upper range from Res. ALJ-387, <i>Table 2 Hourly Rates, Experts, 13+ year experience</i> (\$190-\$465), is an appropriate market rate for 2020 given Aaron Rothschild's significant experience as a financial and economic expert. See Attachment 5 for Aaron Rothschild's bio and resume.</p>
Comment D	<p>2021 market rate for top financial and economic expert Aaron Rothschild:</p> <p>The attached bio and resume demonstrate that Aaron Rothschild has over 13 years' experience providing utility regulation expert witness services on financial and economic matters to state governments and ratepayer advocate offices informed by additional years' experience in the utilities industry. He has provided expert services to Cal Advocates and intervenors on matters before this Commission for 4 years.</p> <p>The closest match to Aaron Rothschild's experience in the Res. ALJ-393 <i>2021 Hourly Rate Chart for Top Economic Executive, Level III, 5-10 year experience</i>. The median rate listed for this category is \$717.57, lower than the low rate of \$886.63 so it is unclear how the range should function. Given Aaron Rothschild's education (MBA and BA in Mathematics), over 20 years' experience in the utilities industry, and 13 years' experience as a top financial and economic expert to utility regulators and ratepayer advocates, a market rate of \$737.93 - the actual median of the listed high and low rates - is appropriate. See Attachment 5 for Mr. Rothschild's bio and resume.</p>

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] April Maurath Sommer (Maurath Sommer) Hourly Rate	<p>D.21-02-021 adopted a 2020 hourly rate of \$400 for Maurath Sommer.</p> <p>Although Wild Tree requests a 2021 hourly rate of \$673.25 for Maurath Sommer, we ultimately adopt a rate of \$525. The \$525 rate is reflective of Maurath Sommer's two years' experience as Wild Tree's Legal Director, and additional 10 years' Commission related experience as a practicing attorney. According to the hourly rate chart implemented by Resolution ALJ-393, the rate range for Legal Director II (2-5 years) is \$333 - \$572, and the rate range for Attorney IV (10- 15 years) is \$381-\$619. A rate near the high end of the Legal Director range, and median of the Attorney range is appropriate for Maurath Sommer.</p>
[2] Marcus Friedman (Friedman) Hourly Rate	<p>We find the requested 2020 hourly rate of \$150 appropriate for Friedman given his experience. The \$150 hourly rate is adopted.</p>
[3] Aaron Rothschild (Rothschild) Hourly Rate	<p>Although Wild Tree requests a 2020 hourly rate of \$465 [the max of the range for an expert with 13+ years of experience] for Rothschild, we ultimately adopt a rate of \$330. We find the \$330 rate appropriate for Rothschild based on the expert rate chart implemented by Resolution ALJ-387.</p> <p>Wild Tree requests a 2021 rate of \$737.93 for Rothschild based on the Top Economic Executive rate category, range III. Based on the resume provided, we find Economist V more appropriate and ultimately adopt a rate of \$370. Rothschild has 4 years' experience as an Economist testifying before the CPUC, and an additional 9 years utility related experience testifying on utility issues in other states. According to the hourly rate chart implemented by Resolution ALJ-393, the rate range for Economist V (15+ years) is \$188- \$370. A rate at the max of the range is appropriate for Rothschild.</p>
[4] Rothschild 2020 Hours	<p>Wild Tree submitted ten timesheet entries for Rothschild between 10/5/2020 and 10/14/2020, all titled "Prepare Direct Testimony", accounting for 78 hours in total. We find the hours claimed to be excessive for the 30 pages of double-spaced testimony produced. Rothschild's 2020 hours are reduced by 18 hours.</p>
[5] IComp Prep Hours	<p>We find that time records submitted by Wild Tree are missing time spent on IComp claim preparation.</p> <p>"Time records for each individual included in the Claim must be provided and must chronologically list the following information about each task included in the records: ii. Date when the specific task was performed. iii. The issue in the proceeding that the task addressed (as identified in the Scoping Memo or by the ALJ). iv. Description of the specific task. v. Amount of the time spent on the task (in hours or hour fraction)" IComp Program Guide at 25. Time spent on Intervenor compensation prep is included in this requirement.</p>

	Accordingly, we adjust the award for IComp prep hours based on the time records provided. We disallow 9 hours from Maurath Sommer's 2021 IComp prep hours.
[6] Substantial Contribution-% Disallowance	As determined in our analysis of Wild Tree's claims of substantial contributions (Part II(A)), Wild Tree does not meet all the substantial contribution standards of Section 1802(j) or Section 1802.5 for issue 1. The Commission found that PG&E does not have to provide the level of detail Wild Tree seeks, however, Wild Tree did prevail in having the Commission articulate our finding more clearly. We disallow 50% percent of the hours claimed on issue 1.
[7] NOI Hours	Time spent drafting the NOI is compensable at ½ the hourly rate and belongs in the IComp prep section of the claim. We move 1.35 hours from Maurath Sommer's 2020 time to the IComp prep hours.
[8] Multiple timesheet issues	We note that Wild Tree split the majority of recorded time entries for Freidman and Maurath Sommer evenly across almost every issue area. We remind Wild Tree that time records must be associated with the proceeding's substantive issues, and that we would expect dates for work completed to align with the timeline of issues raised during the proceeding. Dividing nearly all time across nearly every issue is akin to having excessive general participation. We elect not to make a reduction for this practice at this time but may issue disallowances in future IComp claims if the practice persists.

PART IV: OPPOSITIONS AND COMMENTS

Within 30 days after service of this Claim, Commission Staff or any other party may file a response to the Claim (*see* § 1804(c))

A. Opposition: Did any party oppose the Claim?	No
B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?	No

(END OF APPENDIX A)

APPENDIX B**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of Pacific Gas and Electric Company for Authority to Issue Recovery Bonds for Stress Test Costs Pursuant to Article 5.8 of the California Public Utilities Code. (U39E.)	A.21-01-004 (Filed January 06, 2021)
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**DECISION GRANTING COMPENSATION TO WILD TREE FOUNDATION FOR
SUBSTANTIAL CONTRIBUTION TO DECISION 21-05-015**

Intervenor: Wild Tree Foundation	For contribution to Decision (D.) 21-05-015
Claimed: \$83,250.43	Awarded: \$30,397.60
Assigned Commissioner: Alice Reynolds ¹	Assigned ALJ: Robert Haga

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	This Financing Order grants Application A.21-01-004 filed by Pacific Gas and Electric Company for authority under Division 1, Part 1, Chapter 4 Article 5.8 of the California Public Utilities Code ² to issue \$7.5 billion of Recovery Bonds to fund costs and expenses related to 2017 North Bay Wildfires and other Financing Costs associated with issuing the Bonds.
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D. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812²:

	Intervenor	CPUC Verification
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	2/5/2021	Verified
2. Other specified date for NOI:	n/a	
3. Date NOI filed:	3/4/2021	Verified

¹ This proceeding was reassigned to President Alice Reynolds on July 7, 2022.

² All statutory references are to California Public Utilities Code unless indicated otherwise.

4. Was the NOI timely filed?		Yes
Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4):		
5. Based on ALJ ruling issued in proceeding number:	R.19-01-011	R.19-01-006
6. Date of ALJ ruling:	2/18/2021 D.21-02-021	6/29/2020
7. Based on another CPUC determination (specify):	n/a	D.20-06-051
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
Showing of “significant financial hardship” (§1802(h) or §1803.1(b)):		
9. Based on ALJ ruling issued in proceeding number:	R.19-01-011	R.19-01-006
10. Date of ALJ ruling:	2/18/2021 D.21-02-021	6/29/2020
11. Based on another CPUC determination (specify):	n/a	D.20-06-051
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D. 21-05-015	Verified
14. Date of issuance of Final Order or Decision:	5/11/2021	Verified
15. File date of compensation request:	7/8/2021	Verified
16. Was the request for compensation timely?		Yes

E. Additional Comments on Part I:

#	Intervenor’s Comment(s)	CPUC Discussion
7.	The Wild Tree Foundation (Wild Tree) is a non-profit, 501(c)(3) tax exempt corporation registered with the State of California that advocates for the protection of the environment, climate, and wildlife. Wild Tree is eligible for intervenor compensation based upon rebuttable presumption of eligibility pursuant to D.21-02-021 and because it has previously met and continues to meet the Commission’s	Verified. An ALJ ruling on Wild Tree’s NOI was included in D.20-06-051.

	<p>long-standing definitions of eligibility. Wild Tree meets the definition of a Category 3 customer under the Public Utilities Code section 1802(b)(1)(C) as “representative of a group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential customers...” Article 3, Section 3.3 of Wild Tree’s Bylaws specifically authorizes the organization to represent the interests of residential ratepayers and seek intervenor compensation for doing so. A copy of Wild Tree’s bylaws was submitted with its NOI. Wild Tree represents the interests of residential ratepayers (100 percent) and not small commercial customers receiving bundled electric service from an electrical corporation. Wild Tree also qualifies as a Category 3 customer as an environmental group that represents residential customers with concerns for the environment. (See D.98-04-059, footnote at 30.) The Commission has explained that, “With respect to environmental groups, we have concluded they were eligible [for intervenor compensation] in the past with the understanding that they represent customers . . . who have a concern for the environment which distinguishes their interests from the interests represented by Commission staff, for example.” (D.88-04-066.) Wild Tree is such an environmental group because it represents customers with a concern for the environment that is different from other interests in this proceeding.</p>	
11.	Wild Tree is eligible for intervenor compensation based upon rebuttable	Noted

	<p>presumption of eligibility pursuant to D.21-02-021 and because it has previously met and continues to meet the Commission’s long-standing definitions of eligibility. Participation in this proceeding without intervenor compensation would pose a substantial financial hardship for Wild Tree because the economic interest of the residential ratepayers Wild Tree represents is small in comparison to the costs of Wild Tree’s effective participation. (See Pub. Util. Code § 1802, subd. (h)).</p> <p>The total sum that this proceeding – over \$7.5 billion - is large, for any individual residential ratepayer that Wild Tree represents. The costs of participating individually thus would far outweigh the individual impacts of the outcome of this proceeding. Wild Tree has shown significant financial hardship and should be allowed to recover its costs in this proceeding.</p>	
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PART II: SUBSTANTIAL CONTRIBUTION

D. Did the Intervenor substantially contribute to the final decision (*see* § 1802(j), § 1803(a), 1803.1(a) and D.98-04-059):

Intervenor’s Claimed Contribution(s)	Specific References to Intervenor’s Claimed Contribution(s)	CPUC Discussion
<p><i>Finance Team</i></p> <p>“The Commission’s implementation of Public Utilities Code sections 850 et seq. this past month make it clear that PG&E’s proposal to rely upon its underwriters to design its bonds without the oversight of a finance team</p>	<p>“TURN and Wild Tree, in particular, took the lead in actively opposing approval of PG&E’s application.” (D.21-05-015 at p. 19.)</p> <p>“We agree with TURN and Wild Tree that a Financing Team should be implemented for purposes of overseeing the Recovery Bond issuance process. . . In approving a Finance Team, we have</p>	<p>Verified</p>

<p>must be denied. PG&E's proposal to eschew a finance team is not in compliance with precedent and would fail to meet the requirements of the Code." (Wild Tree Opening Brief at p. 13; See also Wild Tree's Protest, Prehearing Conference Statement, Reply Brief, and PD Comments.) See Note 2 regarding A.20-04-23 intervenor compensation claim.</p>	<p>considered the arguments of parties in this regard. In particular, Wild Tree and TURN claim that PG&E's underwriter does not have a vested interest in maximally reducing the Recovery Bond's interest rate, that the Commission would only be provided notice of the details of the process but not be engaged in the process, and that PG&E is proposing a process that would not be in keeping with Commission past practice. In any event, PG&E agrees that its proposal does not preclude the creation of a Finance Team, and PG&E has no objection to a Finance Team if the Commission determines that one should be established. Commission precedent for authorizing the use of such a Finance Team exists." (D.21-05-015 at pp. 23-24.)</p>	<p>Opening Brief filed on March 1, 2021</p> <p>Reply Brief filed on March 12, 2021</p>
<p><i>Motion to Dismiss</i></p> <p>Wild Tree Foundation provided substantial policy and legal analysis regarding timing and sequencing for stress test and financing order applications made pursuant to Public Utilities Code section 451.2 and sections 850 et seq. as a drafter of the Joint Motion to Dismiss. See Note 1 regarding partial contributions.</p>	<p>"As a basis for ruling on PG&E's application for a financing order, we have taken into account the objections raised by a number of interested parties. As a threshold matter, we address the Motion to Dismiss A.21-01-004, jointly sponsored by TURN, Wild Tree, CCSF, A4NR, CLECA, and EPUC (Movants)." (D.21-05-015 at p. 15, with further discussion on pp. 15-18.)</p>	<p>Verified</p> <p>Joint Motion to Dismiss filed on February 10, 2021</p> <p>D.21-05-015 at 17 denied the motion to dismiss.</p> <p>"Upon due consideration of parties' arguments, we deny the motion to dismiss. We find no good cause to dismiss the application, particularly in view of the undue delays that would result in completing PG&E's securitization. The Commission retains broad discretion to</p>

		establish a schedule and sequence for considering PG&E's Financing Order Application. "Subject to statute and due process" limitations, the California Constitution grants the Commission the authority to "establish its own procedures." Cal. Const., art. XII, § 2. 13
<p><i>Minimizing Ratepayer Costs</i></p> <p>Wild Tree Foundation provided substantial policy and legal analysis regarding interpretation of Public Utilities Code section 850.1 minimization of ratepayer costs requirement. The PD was amended in response to Wild Tree's comments to add discussion on this point. See Note 1 regarding partial contributions.</p> <p>"The PD relies entirely upon PG&E's claim of estimated \$4.2 billion present value savings as evidence that PG&E has met its burden of proof of demonstrating compliance with maximized savings requirement. In the PD's section on maximizing savings, there is no discussion whatsoever of the evidence on the record from Wild Tree, TURN, and other parties demonstrating that PG&E cannot, in any circumstances, propose a securitized bond for</p>	<p>"In response to comments on the proposed decision, corrections and clarifications have been made throughout this decision as appropriate to aid in understanding the features of the transaction and regulatory structure we approve herein. These are explained in the decision and we direct the parties to the provisions we have included, and chose to rely on our existing regulatory procedures because they are self-explanatory. (39 <i>E.g.</i>, Section 3.4, <i>infra.</i>)" (D.21-05-015 at p. 66.)</p> <p>"We reject arguments put forth by intervenors (<i>see, e.g.</i>, TURN Opening Comments at 3-4, Wild Tree Opening Comments at 6-7) that would have us reject all Section 451.2 costs pursuant to Section 850.1(a)(1)(A)(ii)(III). Intervenors erroneous interpretation of the statute fails to parse the statutory language with respect to utility financing mechanisms. Further, we have interpreted the statutory provisions here in the same manner we did in the SCE Securitization Decision, D.20-11-007 at 43 and n.28, and have previously determined PG&E may apply to securitize these costs, D.20-05-053 at 75, D.21-04-030 at 20, 84-85 (FOF 6</p>	<p>Not verified</p> <p>Comments on the PD filed January 6, 2021</p> <p>D.21-05-015 at 18, "We reject arguments put forth by intervenors (<i>see, e.g.</i>, TURN Opening Comments at 3-4, Wild Tree Opening Comments at 6-7) that would have us reject all Section 451.2 costs pursuant to Section 850.1(a)(1)(A)(ii)(III). Intervenors erroneous interpretation of the statute fails to parse the statutory language with respect to utility financing mechanisms. Further, we have interpreted the statutory provisions here in the same manner we did in the SCE Securitization</p>

wildfire victim claim costs that can be shown to maximize savings in comparison to what ratepayers will pay under any other funding mechanism – nothing.” (Wild Tree PD Comments at p. 4.)	and 11).” (D.21-05-015 at p. 27n22, section 3.4.)	Decision, D.20-11-007 at 43 and n.28, and have previously determined PG&E may apply to securitize these costs, D.20-05-053 at 75, D.21-04-030 at 20, 84-85 (FOF 6 and 11).” (D.21-05-015 at p. 27n22, section 3.4.) See CPUC Discussion in Part III D.
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E. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor’s Assertion	CPUC Discussion
a. Was the Public Advocate’s Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding? ³	yes	Verified
b. Were there other parties to the proceeding with positions similar to yours?	yes	Verified
c. If so, provide name of other parties: Alliance for Nuclear Responsibility (A4NR), California Large Energy Consumers Association (CLECA), The Utility Reform Network (TURN), City and County of San Francisco (CCSF), and Energy Producers and Users Coalition (EPUC)		Verified
d. Intervenor’s claim of non-duplication: Wild Tree, The Utility Reform Network, City And County Of San Francisco, Alliance For Nuclear Responsibility, California Large Energy Consumers Association; Energy Producers And Users Coalition communicated and coordinated their respective work in this case and acted jointly where possible including filing a joint motion to dismiss and splitting oral argument time. While A4NR, CLECA, TURN, CCSF, EPUC shared the general position with Wild Tree that the Application should be denied, the parties focuses diverged and thus commonly held positions were not duplicated so as to dilute the contributions of any of the parties in opposition to the application. Wild Tree took care to not repeat arguments that were the focus of other parties’ advocacy and Wild Tree advanced		Noted

³ The Office of Ratepayer Advocates was renamed the Public Advocate’s Office of the Public Utilities Commission pursuant to Senate Bill No. 854, which the Governor approved on June 27, 2018.

arguments that made a substantial contribution to the decision that were not substantially addressed by other parties. Ultimately, Wild Tree's work was complementary, and not overly duplicative of other parties.	
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F. Additional Comments on Part II:

#	Intervenor's Comment	CPUC Discussion
1	<p><i>Partial Contributions</i></p> <p>Pub. Util. Code § 1802 defines substantial contribution, for the purposes of intervenor compensation awards, to include partial contributions:</p> <p>“‘Substantial contribution’ means that, in the judgment of the commission, the customer's presentation has substantially assisted the commission in the making of its order or decision because the order or decision has adopted in whole or in part one or more factual contentions, legal contentions, or specific policy or procedural recommendations presented by the customer. Where the customer's participation has resulted in a substantial contribution, even if the decision adopts that customer's contention or recommendations only in part, the commission may award the customer compensation for all reasonable advocate's fees, reasonable expert fees, and other reasonable costs incurred by the customer in preparing or presenting that contention or recommendation.”</p> <p>The Commission has interpreted “in part” to include granting intervenor compensation to a party that made a substantial</p>	Noted

	<p>contribution in a multi-issue proceeding although the party did not prevail on some of the issues (See D.98-04-028; D.98-08-016; D.00-02-008) or even all issues (See D.20-11-010). “The Commission has provided compensation even when the position advanced by the intervenor is rejected. (D.89-03-96 (awarding San Luis Obispo Mothers For Peace and Rochelle Becker compensation in Diablo Canyon Rate Case because their arguments, while ultimately unsuccessful, forced the utility to thoroughly document the safety issues involved).” (D.02-03-035 at p. 3 (Where the Commission granted TURN its intervenor compensation request in full following the withdrawn of the application in response to subsequent legislation.))</p> <p>The Commission has recognized that it “may benefit from an intervenor’s participation even where the Commission did not adopt any of the intervenor’s positions or recommendations.” (D.08-04-004 at p. 5-6, see also D.09-04-027 (Commission awarded intervenor compensation to TURN even on issues where TURN did not prevail, as TURN’s efforts “contributed to the inclusion of these issues in the Commission’s deliberation” and caused the Commission to “add more discussion on the issue, in part to address TURN’s comments.”))</p> <p>In this proceeding, the Commission adopted findings and</p>	
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	<p>conclusions consistent with Wild Tree's position that a pre-issuance financing team review is required. Even though the Commission rejected other policy recommendations and legal contentions put forth by Wild Tree, Wild Tree's participation was the basis for discussion in the Decision on critical issues and thus Wild Tree "substantially assisted the commission in the making of its order or decision" (Pub. Util. Code § 1802(h)) by contributing to the inclusion of these issues in the Commission's deliberation. (D.09-04-027.)</p> <p>Pursuant to Commission precedent, Wild Tree should be granted compensation for all of Wild Tree's time and expenses in this proceeding for its substantial contribution to the proceeding.</p>	
2	<p>A.20-04-023</p> <p>Wild Tree developed the evidentiary record on the financing order application in both this proceeding, A.21-01-004, and A.20-04-023 as directed in the A.20-04-023 Scoping Memo and March 29, 2021 Administrative Law Judge Ruling Denying Motion to Consolidate and Incorporating Records. It should be noted that Wild Tree is not attempting to be compensated for its work in this proceeding twice. Wild Tree is not requesting here any compensation for work done on A.20-04-023. Wild Tree will not request compensation for any work done in A.21-01-004 in its</p>	Noted

	A.20-04-023 claim unless the Commission directs that the request should be made in that proceeding rather than in this one.	
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PART III: REASONABLENESS OF REQUESTED COMPENSATION

A. General Claim of Reasonableness (§ 1801 and § 1806):

		CPUC Discussion						
a. Intervenor’s claim of cost reasonableness: Wild Tree’s advocacy contributed to a decision that will have an impact on ratepayers in that its advocacy contributed to improving a decision that approves a \$7.5 billion securitization. The resources Wild Tree expended in its advocacy are minimal relative to the resulting impacts and Wild Tree’s costs are reasonable in light of the amount of time, resources, and effort Wild Tree put into the proceeding as a party.		Noted						
b. Reasonableness of hours claimed: Wild Tree spent a reasonable and prudent amount of time on this matter, working diligently to address highly complex and complicated issues in an efficient and expedient manner. An in-house attorney, experienced in practice before the Commission, drafted all filings for Wild Tree with advice of an experienced expert thereby leveraging many years of experience and expertise while limiting its costs. Due to the multi-faceted nature of this proceeding, a typical law firm would have expended significantly more resources than that spent by Wild Tree.		Noted						
c. Allocation of hours by issue: <table border="1"><thead><tr><th>Issue Descriptions</th><th>Allocation</th></tr></thead><tbody><tr><td>1: The proposed securitization is not just and reasonable, not consistent with the public interest, not compliant with the Public Utilities Code procedural and substantive requirements, and has not been demonstrated to minimize ratepayer costs and the application should, therefore, be denied</td><td>51%</td></tr><tr><td>2: If the Commission approves a recovery bond, it must order that a financing team</td><td>44%</td></tr></tbody></table>		Issue Descriptions	Allocation	1: The proposed securitization is not just and reasonable, not consistent with the public interest, not compliant with the Public Utilities Code procedural and substantive requirements, and has not been demonstrated to minimize ratepayer costs and the application should, therefore, be denied	51%	2: If the Commission approves a recovery bond, it must order that a financing team	44%	Noted For the majority of work completed by Friedman and Maurath Sommer, time records are divided among almost every issue almost every entry. <i>See</i> CPUC Discussion in Part III.D[5].
Issue Descriptions	Allocation							
1: The proposed securitization is not just and reasonable, not consistent with the public interest, not compliant with the Public Utilities Code procedural and substantive requirements, and has not been demonstrated to minimize ratepayer costs and the application should, therefore, be denied	51%							
2: If the Commission approves a recovery bond, it must order that a financing team	44%							

will determine and approve the structure, marketing, and pricing of the bond and structure of the customer credit trust			
G: General preparation, case coordination, procedural matters.	5%		

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
April Maurath Sommer	2021	85.98	\$673.25	ALJ-393 2021 Hourly Rate Chart for Legal Director, Level III, 5-10 years' experience See Comment A below.	\$57,886.03	44.70 [3, 5]	\$525 [1]	\$23,467.50
Aaron Rothschild	2021	32.00	\$750.56	ALJ-393 Hourly Rate Chart for Expert for Top Economic Executive, Level III – 5-10 years experience. See Comment D below.	\$24,017.92	18.73 [3, 5]	\$370 [2]	\$6,930.10
Subtotal: \$ 81,903.95						Subtotal: \$30,397.60		
INTERVENOR COMPENSATION CLAIM PREPARATION **								

Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
April Maurath Sommer	2021	4	\$336.62	½ (\$673.25) per ALJ-393 2021 Hourly Rate Chart for Legal Director, Level III, 5-10 years' experience. See Comment A below.	\$1,346.48	0 [4]	N/A	\$0.00
Subtotal: \$1,346.48						Subtotal: \$0.00		
TOTAL REQUEST: \$83,250.43						TOTAL AWARD: \$30,397.60		
<p>*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer’s normal hourly rate</p>								
ATTORNEY INFORMATION								
Attorney		Date Admitted to CA BAR ⁴		Member Number		Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation		
April Maurath Sommer		2008		257967		no		

C. Attachments Documenting Specific Claim and Comments on Part III: (attachments not attached to final decision)

⁴ This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

Attachment or Comment #	Description/Comment
Attachment 1	Certificate of Service
Attachment 2	Timesheets
Attachment 3	April Maurath Sommer Bio and Resume
Attachment 4	Aaron Rothschild Bio and Resume
Comment A	<p>2021 market rate for legal director April Maurath Sommer:</p> <p>The attached bio and resume demonstrates that April Maurath Sommer has more than 12 years' experience directly relevant to the work performed by attorneys before this Commission, more than 7 years' experience specifically practicing before the Commission, and more than 6 years' experience as a legal director for intervenors before the Commission. The upper end of the Res. ALJ-393 <i>2021 Hourly Rate Chart for Legal Director, Level III, 5-10 years' experience</i> of \$673.25 is an appropriate 2021 market rate for Ms. Maurath Sommer given her experience in energy, utility, environmental, and administrative law; practice before the Commission; and experience as a legal director for intervenors before this Commission. For comparison, should April Maurath Sommer recover under the attorney category, which requires less responsibility, experience, and skills than the work she performs as a legal director, a reasonable market rate for 10-15 years' experience would be \$619.29. See Attachment 3 for Ms. Maurath Sommer's bio and resume.</p>
Comment B	<p>2021 market rate for top financial and economic expert Aaron Rothschild:</p> <p>The attached bio and resume demonstrate that Aaron Rothschild has over 13 years' experience providing utility regulation expert witness services on financial and economic matters to state governments and ratepayer advocate offices informed by additional years' experience in the utilities industry. He has provided expert services to Cal Advocates and intervenors on matters before this Commission for 4 years.</p> <p>The closest match to Aaron Rothschild's experience in the Res. ALJ-393 <i>2021 Hourly Rate Chart for Top Economic Executive, Level III, 5-10 year experience</i>. The median rate listed for this category is \$717.57, lower than the low rate of \$886.63 so it is unclear how the range should function. Given Aaron Rothschild's education (MBA and BA in Mathematics), over 20 years' experience in the utilities industry, and 13 years' experience as a top financial and economic expert to utility regulators and ratepayer advocates, a market rate of \$737.93 - the actual median of the listed high and low rates - is appropriate. See Attachment 4 for Mr. Rothschild's bio and resume.</p>

D. CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] April Maurath Sommer (Maurath Sommer) Hourly Rate	Although Wild Tree requests a 2021 hourly rate of \$673.25 for Maurath Sommer, we ultimately adopt a rate of \$525. The \$525 rate is reflective of Maurath Sommer's two years' experience as Wild Tree's Legal Director, and additional 10 years' Commission related experience as a practicing attorney. According to the hourly rate chart implemented by Resolution ALJ-393, the rate range for Legal Director II (2-5 years) is \$333 - \$572, and the rate range for Attorney IV (10- 15 years) is \$381- \$619. A rate near the high end of the Legal Director range, and median of the Attorney range is appropriate for Maurath Sommer.
[2] Aaron Rothschild (Rothschild) Hourly Rate	Wild Tree requests a 2021 rate of \$737.93 for Rothschild based on the Top Economic Executive rate category, range III. Based on the resume provided, we find Economist V more appropriate and ultimately adopt a rate of \$370. Rothschild has 4 years' experience as an Economist testifying before the CPUC, and an additional 9 years utility related experience testifying on utility issues in other states. According to the hourly rate chart implemented by Resolution ALJ-393, the rate range for Economist V (15+ years) is \$188- \$370. A rate at the max of the range is appropriate for Rothschild.
[3] Substantial Contribution-% Disallowance	As determined in our analysis of Wild Tree's claims of substantial contributions (Part II(A)), Wild Tree does not meet all the substantial contribution standards of Section 1802(j) or Section 1802.5 for issue 1. The Commission has previously determined that PG&E may apply to securitize costs in D.20-11-007, D.21-04-030, and D.20-05-053. D.21-05015 rejected arguments put forward by Wild Tree on this issue and finds their interpretation of the statute to be erroneous. Accordingly, we make a 90% reduction in the hours allowed for Minimizing Rate Payer Costs/ Issue 1.
[4] IComp Prep Hours	<p>We find that time records submitted by Wild Tree are missing time spent on IComp claim preparation.</p> <p>"Time records for each individual included in the Claim must be provided and must chronologically list the following information about each task included in the records: ii. Date when the specific task was performed. iii. The issue in the proceeding that the task addressed (as identified in the Scoping Memo or by the ALJ). iv. Description of the specific task. v. Amount of the time spent on the task (in hours or hour fraction)" IComp Program Guide at 25. Time spent on Intervenor compensation prep is included in this requirement.</p> <p>Accordingly, we adjust the award for IComp prep hours based on the time records provided. We disallow 4 hours from Maurath Sommer's 2021 IComp prep hours.</p>
[5] Additional Guidance on Timesheets	We note that Wild Tree time records for Freidman and Maurath Sommer split every time entry that is not coded General Participation evenly across all substantive issue areas.

	We remind Wild Tree that time records must be associated with the proceeding's substantive issues, and that we expect dates for work completed to align with the timeline of issues raised during the proceeding. Dividing nearly all time across nearly every issue is akin to having excessive general participation. We elect not to make a reduction for this practice at this time but may issue disallowances in future IComp claims if the practice persists.
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PART IV: OPPOSITIONS AND COMMENTS

Within 30 days after service of this Claim, Commission Staff or any other party may file a response to the Claim (*see* § 1804(c))

A. Opposition: Did any party oppose the Claim?	No
B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?	No

(END OF APPENDIX B)